



Department of Development Services
205 Lawrence Street
Marietta, Georgia 30060
Brian Binzer, Director

SPECIAL LAND USE PERMIT APPLICATION ANALYSIS

ZONING CASE #: Z2014-22

LEGISTAR #: 20141099

PROPERTY OWNER: Kenneth Dyer
376 Cedar View Drive
Dahlonega, GA 30533

APPLICANT: Brian Warren
825 Middlebrooke Bend
Canton, GA 30115

PROPERTY ADDRESS: 1021 Marble Mill Circle

PARCEL DESCRIPTION: Land Lot 10040, District 16, Parcel 0240

AREA: 1.69 acs. **COUNCIL WARD:** 5B

EXISTING ZONING: HI (Heavy Industrial)

REQUEST: Same

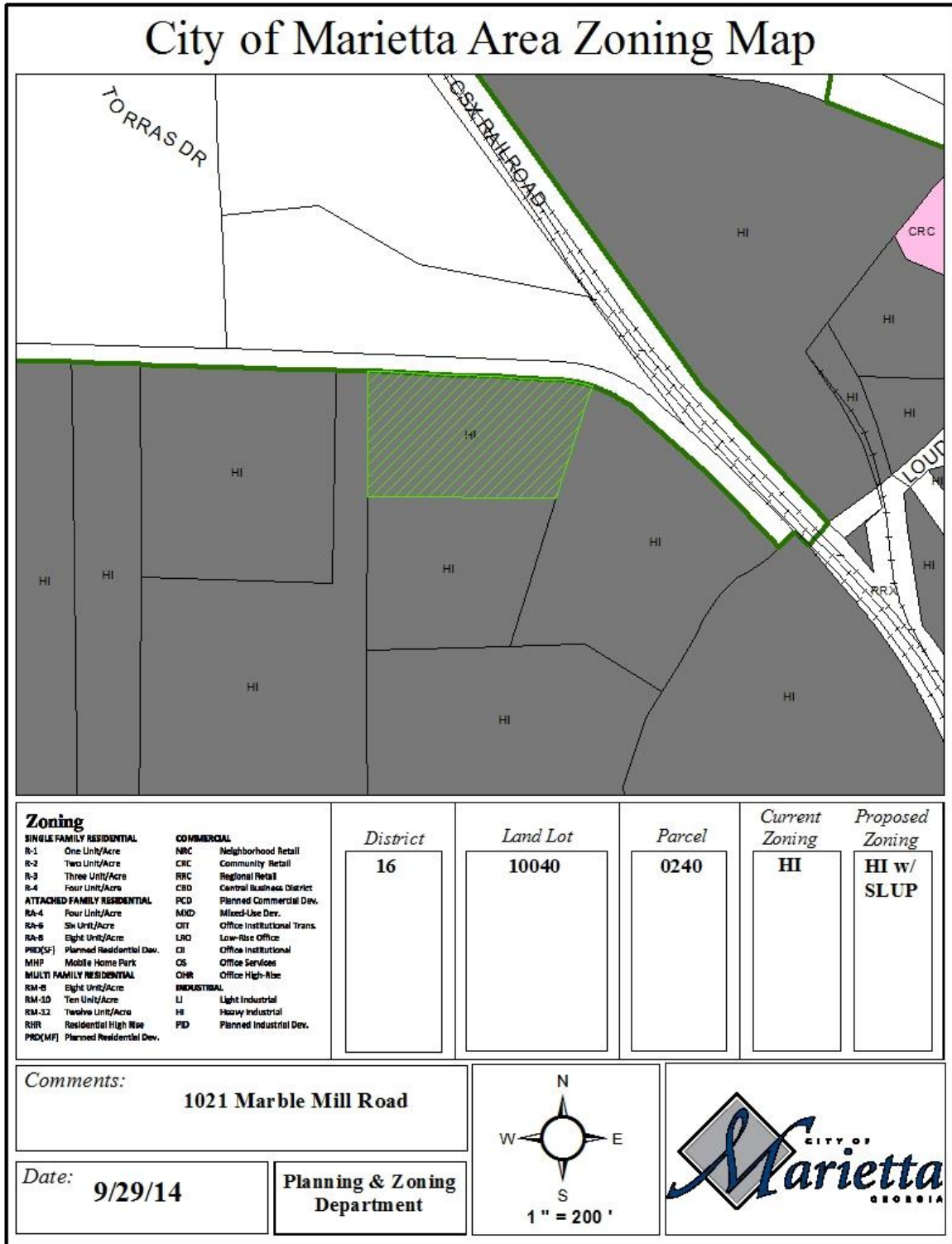
**FUTURE LAND USE
RECOMMENDATION:** IW (Industrial Warehousing)

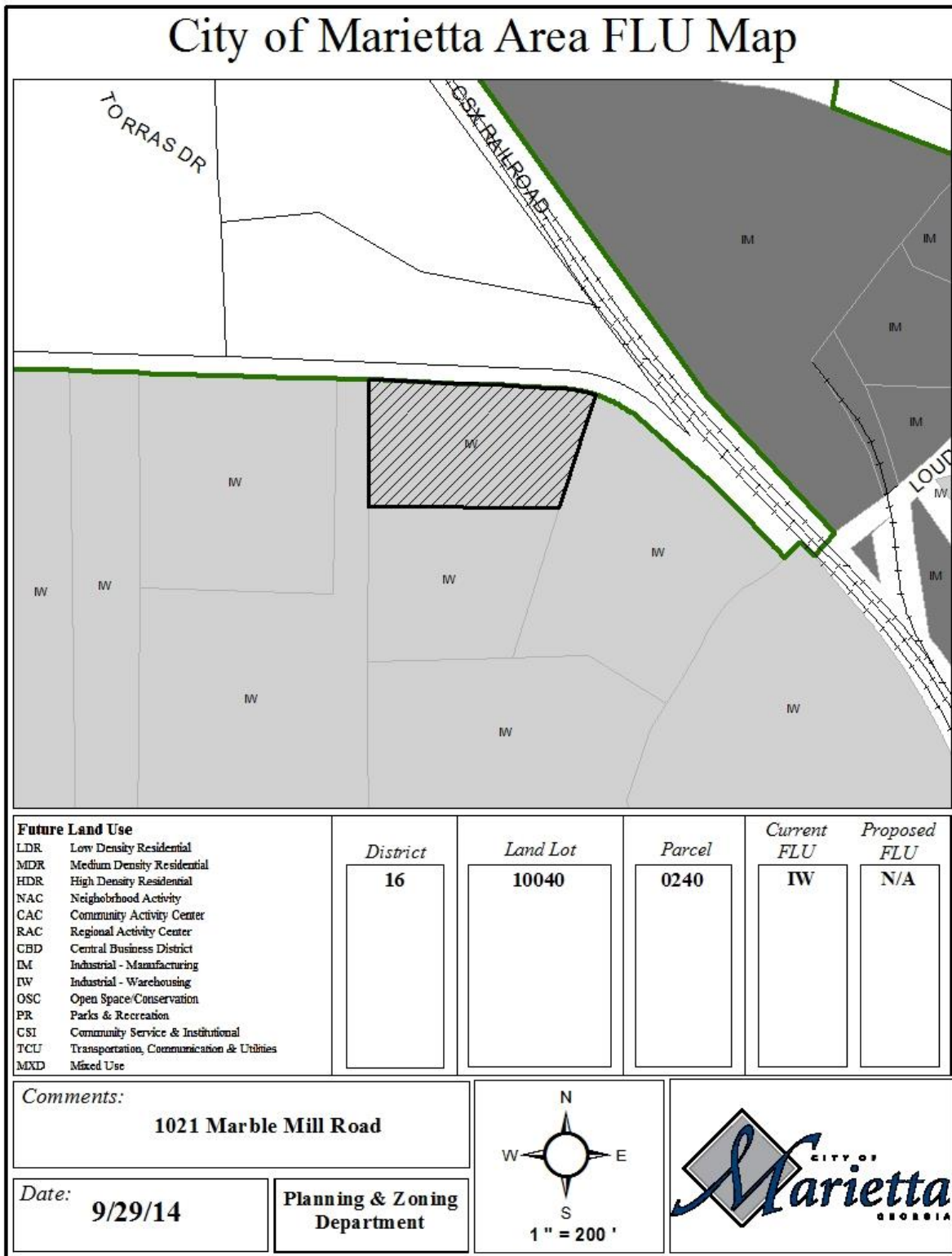
REASON FOR REQUEST: Special Land Use Permit (SLUP) for offices and truck storage associated with hauling and storage of residential sanitation trucks.

PLANNING COMMISSION HEARING: Wednesday, November 5, 2014 - 6:00 p.m.

CITY COUNCIL HEARING: Wednesday, January 14, 2015 – 7:00 p.m.

MAP

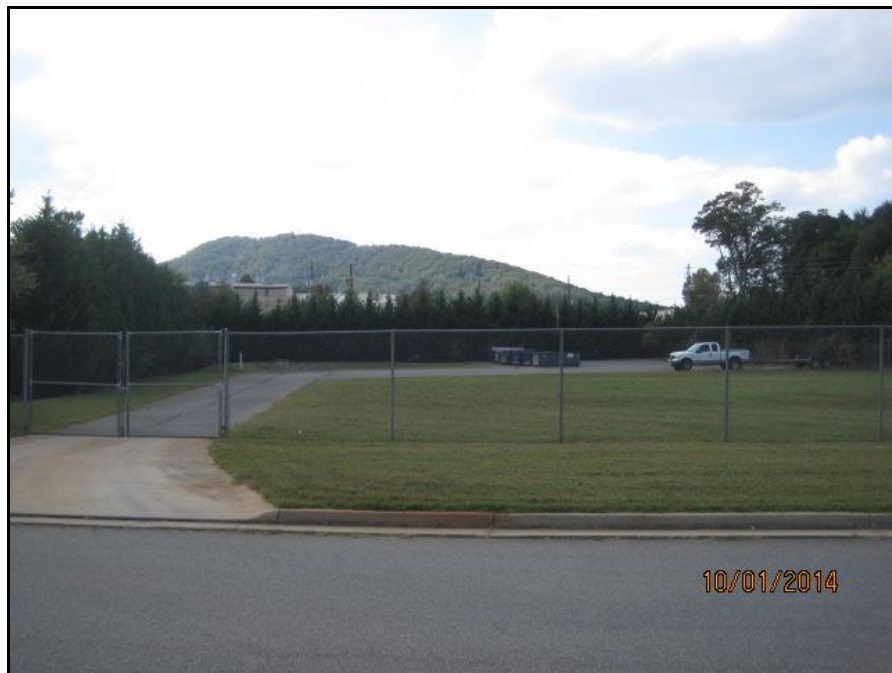




PICTURES OF PROPERTY



1021 Marble Mill Circle - from Marble Mill Road



1021 Marble Mill Circle - from Marble Mill Circle



Entry/exit for 1021 Marble Mill Circle



Entry/exit for 1021 Marble Mill Circle from Marble Mill Road



STAFF ANALYSIS

Location Compatibility

The applicant, Brian Warren, petitioner for the owner, Kenneth Dyer, is requesting a special land use permit (SLUP) to allow for the property at 1021 Marble Mill Cir to be used for offices, maintenance facility and parking for sanitation trucks. The approximately 1.693 acre parcel is currently vacant except for a paved parking area, and is currently zoned HI (Heavy Industrial). All adjacent properties are also zoned HI (Heavy Industrial). The property located across Marble Mill Road to the north of the subject property lies within Cobb County and is also zoned HI.

Use Potential and Impacts

The applicant has submitted a proposed site plan indicating the applicant's intention to build a 75' X 115' building on the 1.693 acre parcel to house company offices and 2 or 3 work bays that will be accessed from the rear side of the building. The truck parking area would be located to the rear of the proposed building, where the trucks would be stored when not out servicing customers. The applicant indicates that the company has been in business since 1984 and in unincorporated Cobb County for 30 years.

According to the site plan submitted with the application, the western portion of the site will be dedicated to truck parking, with an underground water containment and pump system towards the southwestern edge. A building will be constructed on the eastern edge of the property with a customer/office/management parking lot in front facing Marble Mill Circle. Employee parking will be along the southern edge of the property.

The business consists of 6-7 trucks that pick up residential waste mostly in Cobb County. Waste is brought from customer's homes to a transfer station, and is not stored on site.

The FLU (Future Land Use) designation of the subject property is IW (Industrial Warehousing). The IW designation is intended to provide areas that can support light industrial, office/warehouse and distribution uses and the vehicular traffic associated with such uses. The Comprehensive Plan does not list HI as a compatible zoning district for the IW designation.

Environmental Impacts

There is no indication that any streams, floodplains, wetlands, or endangered species exist on this property.

STAFF ANALYSIS CONTINUED

Economic Functionality

The subject property is currently a vacant lot. The owner bought this property with the intention of expanding his current business. However due to the economy, those plans were delayed. Now the company is in a better position to move forward with the original plans to build and move the entire operation to this location under one roof.

As currently zoned, the subject property has a reasonable economic use as it is located in an area that is zoned for high intensity industrial uses.

Infrastructure

The infrastructure section looks at how the proposed use affects the transportation, education, water, sewer, electricity, or other public infrastructure in the area.

History of Property

This property was annexed and zoned into the City of Marietta from Cobb County in 2001 (Z2001-23). In 2002, owner Kenneth Dyer applied for and was approved for an administrative variance (AV2002-17) to reduce the front setback from 50 ft. to 30 ft.

In 2005, a site plan was approved for development however due to the decline in the economy, those plans weren't realized. In 2008, changes were made to the zoning ordinance requiring special land use permits (SLUP) for such activities as sanitation truck hauling, storage and any associated uses.

Other Issues

The following are specific criteria for the consideration of granting a SLUP for a property:

1. Whether or not there will be a significant adverse effect on the neighborhood or area in which the proposed use will be located.
2. Whether or not the use is compatible with the neighborhood.
3. Whether or not the proposed use will constitute a nuisance as defined by state law.
4. Whether or not property values of surrounding property will be adversely affected.
5. Whether or not adequate provisions are made for parking and traffic considerations.
6. Whether or not the site or intensity of the use is appropriate.
7. Whether or not adequate provisions are made regarding hours of operation.
8. The location or proximity of other similar uses (whether conforming or nonconforming).
9. Whether or not adequate controls and limits are placed upon commercial deliveries.
10. Whether or not adequate landscaping plans are incorporated to ensure appropriate transition.
11. Whether or not the public health, safety and welfare of the surrounding neighborhoods will be adversely affected.



ANALYSIS & CONCLUSION

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This Special Land Use Permit request was tabled at the November 12, 2014 City Council meeting; and again at the December 10, 2014 City Council meeting.

Prepared by:_____

Approved by:_____



DATA APPENDIX

CITY OF MARIETTA - WATER

Is a water line adjacent to the property?	Yes
If not, how far is the closest water line?	n/a
Size of the water line?	10-inch
Capacity of the water line?	Flow test required
Approximate water usage by proposed use?	Not provided

CITY OF MARIETTA - SEWER

Is a sewer line adjacent to the property?	Yes
If not, how far is the closest sewer line?	n/a
Size of the sewer line?	8-inch
Capacity of the sewer line?	Available
Estimated waste generated by proposed development?	A.D.F. Peak
Treatment Plant Name?	Not provided
	Cobb County
Treatment Plant Capacity?	Cobb County
Future Plant Availability?	Cobb County

DATA APPENDIX CONTINUED

DRAINAGE AND ENVIRONMENTAL CONCERNS

Does flood plain exist on the property:	NO
What percentage of the property is in the flood plain?	---
What is the drainage basin for the property?	Noses Creek
Is there potential for the presence of wetlands as determined by the U.S. Environmental Protection Agency?	NO
If so, is the use compatible with the possible presence of wetlands?	---
Do stream bank buffers exist on the parcel?	NO
Are there other topographical concerns on the parcel?	NO
Are the storm water issues related to the application?	NO
Potential presence of endangered species in the area?	NO

TRANSPORTATION -

What is the road effected by the proposed change?	Marble Mill Road (County Road)
What is the classification of the road?	Collector
What is the traffic count for the road?	No Data Available
Estimated # of cars generated by the proposed development?	---
Estimated # of trips generated by the proposed development?	---
Do sidewalks exist in the area?	NO
Transportation improvements in the area?	NO
If yes, what are they?	---

- If land disturbance is proposed, Site Plans will be required for construction. If required, Site Plans must include, parking, driveways, streets, erosion-sedimentation- and pollution control plan, stormwater management (preventing concentrated flows from adjacent property, roads, and areas), stormwater quality (bioretention, proprietary, or other), and any other applicable improvements required by City Code and Georgia Stormwater Management Manual. Additional comments will be made at time of site plan submittal, if it is required. There can be no point discharge onto adjacent property which is not into a stream, defined drainageway, or storm sewer. Discharge will not be allowable at the property line, or into the street R.O.W. If easements are required for drainage through adjacent property, then the owner is to obtain. The Pre-CN must be 61 or lower for redesign of the underground system.
- It appears that an underground stormwater management system is proposed to replace the existing above ground basin. Detailed design for stormwater management and stormwater quality (proprietary unit) is required. Special consideration must be made to not increase runoff, nor overload the small channel at the rear of the parcel.
- If it is proposed to wash trucks, it must be performed interior in a building with all wash water into the sanitary sewer.
- It is likely that a Stormwater Discharge Permit will be required by GA EPD. Other GA EPD Permits may be required. No Pollutants of Concern, as referenced in the City SWMP, is allowable to discharge to the above ground channel or downstream.
- A Hauling Permit is required to be obtained from the City Public Works Director or designee.
- Trees along Marble Mill Road must be moved to ensure they are not within the R.O.W., or within the sight distance for the intersection. A plan delineating this is required to be approved by the City and Cobb County DOT (Marble Mill Road is a County road).
- All truck and vehicle parking must be on hard surface per City Code.



DATA APPENDIX CONTINUED

EMERGENCY SERVICES

Nearest city or county fire station from the development? Station 56

Distance of the nearest station? 2.4 miles

Most likely station for 1st response? Station 56

Service burdens at the nearest city fire station (under, at, or above capacity)? none

MARIETTA POWER - ELECTRICAL

Does Marietta Power serve this site? Yes_____ No_____

If not, can this site be served? Yes_____ No_____

What special conditions would be involved in serving this site?

Additional comments: